

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-23. (canceled)

24. (Currently Amended) A method for substantially real time transmission of a software component after receiving a demand for the software component from a requesting terminal of a network comprised of a server and a plurality of terminals, the requesting terminal being a terminal of the plurality of terminals, the method comprising: ~~for a performance characteristic on demand, the software component transmitted to a terminal from a server in a packet network, the method comprising:~~

~~triggering a bandwidth test; test via a load request of the software component;~~

prior to initiating transmission of the software component, determining via the bandwidth test if a present bandwidth is sufficient for transmission of the demanded software component by identifying at least one lower priority process currently using bandwidth of the existing network that each has a lower priority than the demand and computing an amount of available bandwidth resources that is obtainable from reducing bandwidth resources assigned to the at least one lower priority process, within a specified time limit; and

if the computed amount of available bandwidth resources is equal to or greater than an amount of bandwidth necessary to transmit the software component to the requesting terminal.

reducing or freezing the at least one lower priority processes and transmitting the software component to the requesting terminal; and

if the computed amount of available bandwidth resources is less than the amount of bandwidth necessary to transmit the software component to the requesting terminal, inhibiting the or rejecting transmission of the demanded software component if the bandwidth test determines that the present bandwidth is insufficient for real time transmission of the component.

25. (Currently Amended) The method according to claim 24 ~~24~~, wherein the amount of available bandwidth resources ~~a required bandwidth~~ is also calculated according to a specified upper limit of for a transmission time for transmitting the software component to the requesting terminal, time.

26. (Currently Amended) The method according to claim 25, wherein the amount of available bandwidth resources ~~is the required bandwidth~~ is available to the requesting terminal and is included in the demand, request.

27. (Currently Amended) The method according to claim 26 ~~26~~, wherein the server has access to the ~~requested~~ software component and the amount of available bandwidth resources. ~~required bandwidth.~~

28. (Currently Amended) The method according to claim 27 ~~27~~, wherein the bandwidth test provides a positive test result if the amount of available bandwidth resources

~~bandwidth~~ is suitable for a realtime real time application, ~~application thereby permitting transmission of the component~~ or wherein the bandwidth test provides a positive test result if the amount of available bandwidth resources is suitable for a substantially realtime real time application. ~~application thereby permitting transmission of the component.~~

29. (Currently Amended) The method according to claim 27 ~~27~~, wherein information regarding the present bandwidth is made available by a network resource manager and is updated on request by the server or after a period of time

30. (Cancelled).

31. (Currently Amended) The method according to claim 29 ~~29~~, wherein if the amount of available bandwidth resources ~~required bandwidth~~ is less than the amount of bandwidth necessary to transmit the software component, ~~an existing bandwidth for the transmission~~ a message is sent to the requesting terminal, ~~wherein~~ the message comprising ~~includes~~ a temporary rejection or a permanent rejection of the load request.

32. (Currently Amended) The method according to claim 31 ~~further comprising displaying 31~~, ~~wherein~~ the message is ~~shown~~ to a user of the requesting terminal.

33. (Currently Amended) The method according to claim 31 ~~31~~, further comprising generating a subsequent load request in response to the a temporary rejection of the load request.

34. (Currently Amended) The method according to claim ~~31~~ 34, wherein ~~the a~~
permanent rejection is generated after by a plurality of at least one temporary rejections have
been generated for a load request for the software component rejection or after determining that a
comparison of the amount of bandwidth necessary to transmit the software component required
bandwidth is greater than with a maximum available bandwidth.

35-43. (Cancelled)

44. (New) The method of claim 24 wherein the amount of bandwidth necessary to
transmit the software component is at least partially defined by a transmission rate requirement
provided in the demand.

45. (New) The method of claim 44 wherein the amount of available bandwidth
resources is calculated by a network resource manager that is connected to the server.

46. (New) The method of claim 45 wherein the network resource manager is
connected to an available bandwidth memory that has data on bandwidths assigned to processes
using network bandwidth resources and priorities for these processes.

47. (New) The method of claim 46 wherein the network resource manager is also
connected to at least one of the terminals and wherein the available bandwidth memory is

periodically updated with new data for the bandwidths assigned to processes using network bandwidth resources and priorities for these processes.

48. (New) A computer configured for connection to a plurality of terminals of a network and configured to transmit a software component to a requesting terminal of the plurality of terminals after receiving a demand for the software component from the requesting terminal if bandwidth necessary for transmitting the software component to the requesting terminal is determined to be available, the computer comprising:

a network resource allocation device, the network resource allocation device configured to assign resources of the network to the terminals and reassign resources of the network from one terminal to another terminal;

a performance characteristic providing device connected to the network resource allocation device;

a network resource distribution memory connected to the network resource allocation device and the performance characteristic providing device, the network resource distribution memory having stored data on bandwidths assigned to processes using bandwidth resources of the network and priorities for these processes;

the performance characteristic providing device configured to determine whether an amount of bandwidth exists that is sufficient for transmission of the demanded software component by accessing the data stored on the network resource distribution memory to identify at least one lower priority process using bandwidth of the network that each has a lower priority than the demand in the network and calculate an amount of available bandwidth resources that is

obtainable from reducing bandwidth resources of the network assigned to the at least one lower priority process; and

the network resource allocation device configured to reduce or freeze the network resources assigned to the at least one lower priority processes and transmit the software component to the requesting terminal if the computed amount of available bandwidth resources is equal to or greater than an amount of bandwidth necessary to transmit the software component to the requesting terminal; and

the network resource allocation device configured to inhibit or reject transmission of the software component if the computed amount of available bandwidth resources is less than the amount of bandwidth necessary to transmit the software component to the requesting terminal.

49 (New) The computer of claim 48 wherein the computer is a server or is comprised of a server.

50. (New) The computer of claim 48 wherein bandwidth demand data is also stored in the network resource distribution memory.

51. (New) The computer of claim 48 wherein the performance characteristic providing device is a portion of the network resource allocation device.

52. (New) The computer of claim 48 wherein the network resource allocation device is also configured to periodically update the data stored in the network resource distribution memory.

53. (New) The computer of claim 48 wherein the network resource allocation device is configured to freeze the network resources assigned to the at least one lower priority processes or unassign all the network resource assigned to the at least one lower priority process if the computed amount of available bandwidth resources is equal to or greater than an amount of bandwidth necessary to transmit the software component to the requesting terminal.